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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/648,606	08/25/2003	Richard Harvey	063170.6701	4231

5073 7590 02/08/2007  
BAKER BOTTS L.L.P.  
2001 ROSS AVENUE  
SUITE 600  
DALLAS, TX 75201-2980

EXAMINER
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LEWIS, ALICIA M

ART UNIT	PAPER NUMBER
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2164

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	02/08/2007	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 02/08/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

glenda.orrantia@hotmail.com  
mike.furr@bakerbotts.com  
ptomail1@bakerbotts.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/648,606	<b>Applicant(s)</b> HARVEY ET AL.	
	<b>Examiner</b> Alicia M. Lewis	<b>Art Unit</b> 2164	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-10 ~~1-11~~ is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 <sup>1-13</sup> is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.


#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

  
**SAM RIMELL**  
**PRIMARY EXAMINER**

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This office action is responsive to the Request for Continued Examination (RCE) filed November 15, 2006. Claims 8-10 have been added. Therefore, claims 1-10 are pending in this application.

#### ***Claim Rejections - 35 USC § 101***

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-6 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The directory of claims 1-6 is not tangibly embodied in a manner so as to be executable. Furthermore, the claims represent an abstract idea, directed solely to non-functional descriptive material.

Claims 7-10 are rejected under 35 U.S.C. 101 because the claimed invention lacks patentable utility. The systems of claims 7-10 do not produce a tangible result to make them useful under 35 U.S.C 101. The claims appear to represent an arrangement of objects in a storage system, wherein the objects have no functionality.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent

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granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Gadbois et al. (US Patent Application Publication 2004/0002955 A1) ('Gadbois').

With respect to claim 1, Gadbois teaches a web services directory comprising:

at least one business entity object (elements 232, 242, 252 in Figure 2, paragraphs 28-29); and

at least one user object, wherein the at least one business entity object is arranged under the at least one user object (elements 222 and 224 in Figure 2, paragraphs 27 and 28).

With respect to claim 2, Gadbois teaches the web services directory as recited in claim 1, further comprising:

at least one business service object (element 243 in Figure 2, paragraph 28); and

at least one binding template object (element 245 in Figure 2, paragraph 28), wherein the at least one business service object is arranged under the at least one business entity object, and the at least one binding template object is arranged under the at least one business service object (Figure 2).

With respect to claim 3, Gadbois teaches the web services directory as recited in claim 1, wherein the at least one business entity object is arranged under the at least

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one user object by virtue of at least one corresponding user child object (elements 222, 232, 242 and 252 in Figure 2, paragraphs 26-28).

With respect to claim 4, Gadbois teaches the web services directory as recited in claim 1, further comprising at least one domain object, wherein the at least one user object is arranged under the at least one domain object (elements 170 and 210 in Figure 2, paragraph 24, paragraph 26, paragraph 27 lines 1-4).

With respect to claim 5, Gadbois teaches the web services directory as recited in claim 1, further comprising apparatus adapted to implement the web services directory, and in which directory services are invoked (paragraphs 21-25).

With respect to claim 6, Gadbois teaches the web services directory as recited in claim 5, wherein the directory services are invoked using at least one of X.500 and LDAP protocols (paragraph 24 lines 8-12, paragraph 26 lines 10-11).

With respect to claim 7, Gadbois teaches a web services system comprising:  
a registry (paragraph 5 lines 19-25) in which businesses may register, the registry comprising a hierarchical directory including at least one business entity object (element 232 in Figure 2) and at least one user object (element 222 in Figure 2), the at least one business entity object being arranged under the at least one user object (Figure 2, paragraphs 25-28); and

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a storage system for storing business information and accessible via the hierarchical directory (paragraphs 23, 24 and 26).

4. Claims 1-3, 5 and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Murto et al. (US Patent Application Publication 2004/0213409 A1) ('Murto').

With respect to claim 1, Murto teaches a web services directory comprising:  
at least one business entity object (paragraph 60); and  
at least one user object, wherein the at least one business entity object is arranged under the at least one user object (Figures 2 and 4A, paragraphs 94, 114-118 and 169).

With respect to claim 2, Murto teaches the web services directory as recited in claim 1, further comprising:  
at least one business service object (paragraph 61); and  
at least one binding template object, wherein the at least one business service object is arranged under the at least one business entity object, and the at least one binding template object is arranged under the at least one business service object (paragraph 62).

With respect to claim 3, Murto teaches the web services directory as recited in claim 1, wherein the at least one business entity object is arranged under the at least

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one user object by virtue of at least one corresponding user child object (Figures 2 and 4A, paragraphs 94, 114-118 and 169).

With respect to claim 5, Murto teaches the web services directory as recited in claim 1, further comprising apparatus adapted to implement the web services directory, and in which directory services are invoked (paragraph 48-49).

With respect to claim 7, Murto teaches a web services system comprising:  
a registry (paragraph 12) in which businesses may register, the registry comprising a hierarchical directory including at least one business entity object (paragraph 60) and at least one user object, the at least one business entity object being arranged under the at least one user object (Figures 2 and 4A, paragraphs 94, 114-118 and 169); and

a storage system for storing business information and accessible via the hierarchical directory (paragraphs 12, 16 and 21).

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gadbois et al. (US Patent Application Publication 2004/0002955 A1) ('Gadbois') in view of Murto et al. (US Patent Application Publication 2004/0213409 A1) ('Murto').

With respect to claim 8, Gadbois teaches a web services system comprising:

- a registry in which businesses may register, the registry comprising a hierarchal directory (paragraph 5 lines 19-25);
- at least one domain object, wherein the at least one domain object comprises a directory prefix name, and the at least one domain object is a root object of the hierarchal directory (elements 170 and 210 in Figure 2, paragraph 24, paragraph 26, paragraph 27 lines 1-4);
- at least one user object, the at least one user object is arranged under the at least one domain object (elements 222 and 224 in Figure 2, paragraph 24 lines 1-5, paragraphs 27 and 28);
- at least one business entity object, wherein the at least one business entity object comprises data identifying a business, and the at least one business entity object is arranged under the at least one user object (elements 232, 242, 252 in Figure 2, paragraphs 28-29); and
- a storage system for storing business information and accessible via the hierarchical directory (paragraphs 23, 24 and 26).

Gadbois does not teach wherein the at least one user object identifies a user account for managing a plurality of objects arranged under the at least one user object.



Murto teaches service discovery access to user location (see abstract), in which he teaches wherein the at least one user object identifies a user account for managing a plurality of objects arranged under the at least one user object (paragraph 94).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Gadbois by the teaching of Murto because wherein the at least one user object identifies a user account for managing a plurality of objects arranged under the at least one user object would enable a mobile phone or wireless PDA to discover Internet businesses and services in a specified geographical location by accessing a UDDI registry, thus providing more applications to Gadbois, invention.

With respect to claim 9, Gadbois as modified teaches the web services directory as recited in claim 8, further comprising:

at least one business service object, wherein the at least one business service object comprises data identifying a technical service, and the at least one business service object is arranged under the at least one business entity object (Gadbois, element 243 in Figure 2, paragraph 28; Murto, paragraph 61); and

at least one binding template object, wherein the at least one binding template object comprises data identifying a plurality of service specifications, and the at least one binding template object is arranged under the at least one business service object (Gadbois, element 245 in Figure 2, paragraph 28; Murto, paragraph 62).

With respect to claim 10, Gadbois as modified teaches the web services directory as recited in claim 9, further comprising at least one tmodel object, wherein the at least one tmodel object comprises a keyed reference to the at least one binding template object, and the at least one tmodel object is arranged under the at least one user object (Murto, paragraphs 63 and 76-77; Gadbois, paragraphs 38-39 and 47).

### ***Response to Arguments***

7. Applicant's arguments filed November 15, 2006 have been fully considered but they are not persuasive. Applicant argues that there is no suggestion in Gadbois that host 210 is a user object. Although examiner disagrees, as stated in the Final Rejection mailed July 26, 2006, host 210 has not been used as a user object in this rejection; therefore the argument is moot.

8. Applicant also argues that Organization1 222 and Organization2 224 are not user objects. Examiner disagrees. Nodes 222 and 224 both represent objects that may be accessed by a user, thus making them user objects. Applicant has not supplied a different interpretation or definition for the term "user object," thus any object accessible by a user may qualify as a user object. According to paragraph 27, organizational nodes 222 and 224 each act as root nodes for an organizational sub-tree. The organizations may be any type of entity, including governmental, institutional, academic and personal. Each organizational node is coupled to a number of interior sub-nodes, which contain further information, or links to further information, regarding the respective organization. Therefore, organizational nodes 222 and 224 may represent user objects

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and groups node 232, business services node 242 and publisher assertions node 252 may represent business entities under the user object, organization1 node 222.


### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia M. Lewis whose telephone number is 571-272-5599. The examiner can normally be reached on Monday - Friday, 9 - 6:30, alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on 571-272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Alicia Lewis  
January 26, 2007

  
**SAM RIMELL**  
PRIMARY EXAMINER